IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 24TH APRIL 2007 / 4TH VAISAKHA 1929

WP(C).No. 13748 of 2007(J)

PETITIONER:

S.SOMAN, S/O.SREEDHARA PANICKER,
AGED 51 YEARS,NADASWARAM,VIHNATHUKAVU DEVASWOM,
THIRUMULLAVARAM SUB GROUP,KOLLAM GROUP.

BY ADV. SRI.C.UNNIKRISHNAN (KOLLAM)
SRI.S.HARIKRISHNAN

RESPONDENTS:

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1. THE SUB GROUP OFFICER,
THIRUMULLAVARAM SUB GROUP,KOLLAM GROUP.

2. THE ASSISTANT DEVASWOM COMMISSIONER,
KOLLAM.

3. THE DEVASWOM COMMISSIONER,
TRAVANCORE DEVASWOM BOARD,TRIVANDRUM.

4. THE CHIEF COMMISSIONER,
TRAVANCORE DEVASWOM BOARD,TRIVANDRUM.

5. THE TRAVANCORE DEVASWOM BOARD
REPRESENTED BY ITS SECRETARY, DEVASWOM BOARD
OFFICE,NANTHANCODE,TRIVANDRUM.

BY SC SRI.D.SREEKUMAR R3 TO R5

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.13748 of 2007

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Dated this the 24th day of April, 2007

J U D G M E N T

The petitioner, an employee of the Travancore Devaswom Board, is aggrieved by Ext.P5 order of transfer pending disciplinary proceedings. Petitioner's contention is that since the Rules do not contemplate transfer as a penalty, Ext.P5 order imposing on him the transfer of penalty is illegal and violative of the Rules.

2. I am not inclined to go into the merits of the contentions of the petitioner since the petitioner has already filed Ext.P6 appeal before the 4th respondent. Accordingly, I direct the 4th respondent to consider Ext.P6 and pass appropriate orders thereon, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment. It would be open to the petitioner to move the 4th respondent

for interim orders, pending disposal of Ext.P6, in which case, the 4th respondent shall consider the same and pass appropriate orders thereon within two weeks from the date of the petitioner moves for interim orders.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.